

**WHAT WILL BE THE STATUS OF SCREENING OFFICERS FOR  
UNDERCOVER NARCOTICS ASSIGNMENTS IN LARGE LAW  
ENFORCEMENT AGENCIES BY THE YEAR 2005?**

**A Discussion of the Background, Barriers and Benefits of Screening,  
Including a Strategy for Change**

JOURNAL ARTICLE

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**This Command College Independent Study Project is a FUTURES study of a particular emerging issue in law enforcement. Its purpose is NOT to predict the future but rather to project a number of possible scenarios for strategic planning consideration.**

**Defining the future differs from analyzing the past because the future has not yet happened. In this project, useful alternatives have been formulated systematically so that the planner can respond to a range of possible future environments.**

**Managing the future means influencing the future--creating it, constraining it, adapting to it. A futures study points the way.**

**The views and conclusions expressed in the Command College project are those of the author and are not necessarily those of the Commission on Peace Officer Standards and Training (POST).**

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## **Executive Summary**

Every large urban police department in America, and many small ones, have at least some form of corruption at work within them today. These acts of corruption may involve something as small as routinely accepting free meals on the beat, or as significant as theft of drugs and money from suspects. Corrupt law enforcement officers do not become corrupt overnight. It often takes years of abusing their power and authority before they find themselves in situations that may result in illegal acts on their part. The length of service for officers found in violation of the law, or in serious violation of department regulations, is usually between 8 to 10 years. Almost without exception, individuals become corrupted gradually, beginning with minor transgressions and evolving into more serious offenses.<sup>1</sup> The subsequent embarrassment to an agency, and loss of public confidence can seriously erode an agency's ability to carry out its mission in the community.

This article narrowly focuses on screening undercover officers who have applied for, or are currently working narcotics assignments within large urban law enforcement agencies serving populations of more than one million people. A summary of some recent cases of corruption in law enforcement is provided. In addition, the temptations confronting today's narcotic's officers are vividly illustrated for the reader. Recent case law and trends concerning this issue are also discussed. Certain sub-issues and their significance to the issue are also identified for the reader.

Finally, since most law enforcement agencies do not conduct screening processes for officers who volunteer for undercover narcotics assignments, or for officers who currently work those assignments, a case study including a strategy for implementing screening processes in a large agency is included. The Los Angeles Police Department (LAPD) was used as a model in the study. Therefore, the strategy which is discussed on the following pages applies to the LAPD, but could be modified to fit a variety of other law enforcement agencies in cities that are governed by a City Council and weak Mayor form of government. Readers should pay particular attention to obstacles encountered while trying to induce meaningful change.

For law enforcement managers and supervisors to simply consider the fact that a significant incident of corruption could occur within their agency is an important first step. To actually implement meaningful corruption prevention measures within an agency might become one of the department's most important milestones. This article was created to make people think about the unthinkable; i.e., a task in which those in law enforcement should routinely engage.

## **HISTORY OF THE PROBLEM**

All too frequently, the public's confidence in law enforcement is shaken by reports of officers falling victim to corruption. While no profession is untouched by corruption, its effect on law enforcement is especially damaging. As guardians of law and order in a free society, law enforcement officers must maintain a consistently high standard of

integrity. Combating crime claims many victims from the ranks of law enforcement. As criminals become more violent, increasing numbers of officers are being killed or injured in the line of duty. Increasing numbers of officers are also, however, being lost to corruption. The lure of fast money associated with the drug trade and other temptations are creating new and potentially devastating problems for police departments and law enforcement managers across the country.<sup>2</sup>

There is in undercover work a great potential for inappropriate, unethical and even illegal activity on the part of police officers. Although such activity may be exceedingly unlikely, management controls must be applied to minimize these potential problems. A fear of all law enforcement agencies is that of losing control of an undercover operation, having the operation fail, and bringing public embarrassment upon the agency. In recent years, corruption scandals associated with undercover operations throughout the country serve to illustrate this point.<sup>3</sup>

### **LOS ANGELES**

Peering through the peephole of his room at the Valley Hilton Hotel, Los Angeles Sheriff's Sergeant Robert Sobel surveyed the empty corridor. The drug dealer who had occupied the penthouse suite across the hallway was nowhere in sight. Sobel nodded to his fellow narcotics deputies, Dan Garner and Jim Bauder. The officers slipped outside, spotted a hotel maid and flashed their badges. She opened the penthouse door. A few minutes later, the deputies returned to Sobel's room with a gym bag.

Stuffed inside the bag were bundles of cash totaling \$30,000. It was not the first time that members of Sobel's crew ripped off money from a drug dealer, but this time there was a difference. A hidden video camera had captured their every move. Meanwhile, in another hotel several miles away, Los Angeles Sheriff's Commander Roy Brown stood with a telephone pressed to his ear, listening intently as an FBI agent described what was happening. What he heard electrified him. "They took money on tape."<sup>4</sup> This investigation was subsequently dubbed "The Big Spender Case" and what followed would be one of the worst corruption scandals in Los Angeles law enforcement history.

#### **WASHINGTON D.C.**

By most accounts, Fonda Cecilia Moore was a model cop. Gung-ho, popular with her colleagues on the District of Columbia's tough Anacostia beat. She enjoyed the beat, she enjoyed the grit and grime of police work - night patrols in some of Washington's most crime-ridden neighborhoods, undercover investigations against drug dealers and prostitutes, the adrenalin rush of chasing and catching "bad guys." But prosecutors charged that Moore, the mother of two young boys, moonlighted as a confederate of one of Washington's biggest cocaine dealers. Acquitted of murder and other charges in her first trial, she is awaiting trial on charges of conspiring to commit murder and distribute crack cocaine.<sup>5</sup>

## **NEW YORK CITY**

New York City Police Officer Michael Dowd was the kind of cop who gave new meaning to the word moonlighting. It wasn't just any job that the ten-year veteran of the New York City force was working on the side. Dowd was a drug dealer. From scoring free pizza as a rookie, he graduated to pocketing cash seized in drug raids and from there to robbing dealers outright, sometimes also relieving them of drugs that he would later sell. Soon he had formed "a crew" of 15 to 20 officers in the Brooklyn precinct who hit up dealers regularly. Eventually, one of them was paying Dowd and another officer \$8,000 a week in protection money. Dowd bought four suburban homes and a \$35,000 red corvette. Nobody asked how he managed all that on take-home pay of \$400 a week. In May 1993, Dowd, four other officers and one former officer were arrested for drug trafficking by police in Long Island's Suffolk County. When the arrests hit the papers, it was forehead-slapping time among New York City Police Brass. Not only had some of their cops become robbers, but the crimes had to be uncovered by a suburban police force.<sup>6</sup>

## **MIAMI**

When cities enlarge their police forces quickly in response to public fears about crime, it can also mean an influx of younger less-suited officers. That was a major reason for the enormous corruption scandal that hit Miami in the mid 1980's, when about ten percent of the City's police were either jailed, fired or disciplined in connection with a scheme in which Miami officers robbed and sometimes killed cocaine smugglers on the Miami



River and then resold the drugs. Many of those involved had been hired when the Miami Department had beefed up quickly after the 1980 riots and the Mariel boatlift.<sup>7</sup>

### **YUMA, ARIZONA**

Yuma County Sheriff's Deputy Jack Hudson was popular with his colleagues, a rookie of the year, a member of an elite drug task force -- all in all, the last man his boss expected to find on the other side of the law. Hudson was working the Southwest Border Alliance, a group of officers from local, state and federal agencies fighting the drug trade around Yuma, on the Arizona Border with California and Mexico. Hudson was recently charged with murdering two colleagues after they surprised him trying to steal from the task force evidence room. Amphetamines, methamphetamine, marijuana and 18 firearms logged as task-force evidence were later seized in a search of Hudson's home.<sup>8</sup>

### **DRUG ENFORCEMENT ADMINISTRATION (DEA)**

For ten years, Darnell Garcia was an agent for the Drug Enforcement Administration (DEA). He allegedly spent millions of dollars traveling around the world first class and living in an exclusive suburb of Los Angeles. Garcia worked with another DEA agent, Wayne Countryman, who also lived in Los Angeles. Along with a third agent, John Jackson, they were accused of stealing hundreds of kilograms of cocaine and heroin and then laundering their profits through two local banks and transferring millions of dollars to secret accounts in Switzerland. According to their indictment, they stole 150

kilograms of heroin from DEA Headquarters in Los Angeles and sent the drugs to dealers in New York by Federal Express.<sup>9</sup>

### **CENTRAL INTELLIGENCE AGENCY (CIA)**

Aldrich "Rick" Ames, a career CIA officer who became the worst traitor in American history, pleaded guilty last year (1994) to spying for the Russians. Among his crimes was disclosing the names of at least 12 CIA sources from Russia and elsewhere, many of whom were later executed. Ames received \$2.5 million from the KGB in the nine years from the day he walked into the Soviet Embassy until he and his wife were arrested in 1994.<sup>10</sup>

These cases serve to illustrate the corruptibility of law enforcement officials across the nation. Unfortunately, the list of examples seems to grow each day. In addition, there are concerns by many police managers that an increasing number of entry level applicants for their departments have a more intimate relationship with drugs than candidates did in the past. Drug use rose in 1993 for the first time in ten years, according to a new report by the non-profit group known as Drug Strategies. One in eight Americans - 24.4 million - used illicit drugs in 1993, and half of those used drugs at least once a month. Of 77 million Americans who have tried drugs, 2.7 million are now addicted and 2.1 million are hooked on cocaine. From 1975 to 1992, cocaine consumption in the United States jumped from about 100 tons to nearly 400 tons yearly. The United States represents 5% of the world's population, but accounts for

60% of the illicit drug consumption. It is feared that today's children -- who are increasingly smoking marijuana -- will be tomorrow's big-time drug users. They will also represent a significant portion of the applicant pool from which new police officers and undercover narcotics officers are recruited.<sup>11</sup>

In 1989, six major city police departments (Houston, Los Angeles, Miami, New Orleans, San Diego, and Washington D.C.) voluntarily participated in a major study involving drug-related corruption. Study data quickly made it apparent that there must be three principal areas of focus: improving the applicant selection process, reinforcing high integrity values among individual officers, and effective anti-corruption programs to reduce opportunities for corruption.<sup>12</sup> Thoroughly prescreening personnel at the entry level then again prior to assignment to an undercover assignment may be important first steps in establishing an undercover unit or operation. The specific issue of initially screening officers for undercover assignments, then conducting continued and periodic fitness screening for such assignments presents an interesting set of problems for police managers. The applicant selection process provides the only opportunity for departments to screen potential officers thoroughly. Therefore, all screening techniques (detailed background check, drug testing, polygraph, medical, financial, and psychological) not prohibited should be applied to ensure hiring an applicant with the best possible integrity profile. Because past actions are often indicative of future conduct, the applicant selection process offers a valuable opportunity for judging integrity.<sup>13</sup>

According to Dr. Nels Klyver, a Department Psychologist for the Los Angeles Police Department, traditional psychological screening methods to measure integrity involve the examination of a candidate's past behavior, associations, and lifestyle. Some attempts have been made to create a psychologically-based "integrity test" but at this point there has been little success in this area. Dr. Klyver added that officers can become quite good at taking written psychological examinations, particularly if they take the same kind of test more than once. The research generally indicates that almost anyone can be corrupted given the right set of circumstances and motivation.<sup>14</sup>

Initiating a thorough screening process for undercover officers can be difficult. For example, implementing random drug testing can pose a serious set of dilemmas for police administrators. The proliferation of drug use in American society, along with the recognition of its harmful effects -- to the user, to others and to the system of law itself - clearly establishes the need for action. Yesterday's drug user may well be today's police applicant. Concomitantly, the rights of American citizens to be free from unreasonable searches is also at issue.

Drug testing is also a political issue. Balancing the needs of society with those of preserving individual rights has always required a delicate touch.<sup>15</sup> Establishing policies and procedures implementing drug screening programs that meld these concerns presents the public administrator with a gargantuan task. Should only applicants and those seeking transfer or promotion be tested or should all employees occupying safety

or sensitive positions undergo tests? Is "reasonable suspicion" required or can testing be performed on a random basis? What drugs should be screened for? Should procedural guidelines address "chain of custody," lab, medical review, and other collection issues? Should assistance or rehabilitation/counseling programs be established? What about liability issues? What are the direct and indirect costs?<sup>16</sup>

### **SUB-ISSUES**

A variety of sub-issues were identified that had a direct impact on the issue of screening undercover narcotics officers. Three of the most important sub-issues were selected for further study. They are as follows:

1. What are the legal, policy or administrative issues associated with implementing a better selection process for undercover narcotics officers? This sub-issue was selected because it represents one of the more significant influences or barriers to implementing screening processes in law enforcement. Legal issues influencing screening procedures like the polygraph examination, random drug testing, financial checks, questionnaires or medical and psychological evaluations will be examined in this report. It will be important to review both sides of these legal arguments in an effort to identify emerging trends in this area. Important pending cases will also be reviewed and discussed.

2. How will managers ensure screening instruments are not culturally or ethnically biased to provide employee diversity? This researcher has knowledge that for a variety of possible reasons, certain specialized units within large agencies have experienced difficulty in attaining a work force which is truly representative of the community they serve. Narcotics Group (NG) within the LAPD has not been an exception to this phenomenon. During the many years that the polygraph examination was used as a preliminary screening mechanism for officers seeking undercover assignments within the LAPD, it was generally felt that many officers, particularly those from certain minority groups, did not bother to apply because they were concerned about the overall consequences associated with the test. Even though there were assurances that the results of these tests were confidential and that they would not be used as the sole selection criteria, officers were fearful of the stigma associated with possibly failing a polygraph. Although these tests may have had the desired affect of disqualifying officers who should not have worked undercover narcotics assignments, they may have also had the undesired impact of discouraging otherwise highly qualified officers from applying for undercover narcotics positions. Whether these concerns are real or imagined, they may represent real barriers to efforts in achieving a diversified work-force within a specialized unit like narcotics.

3. How will screening devices be evaluated for effective corruption prevention?

Does the screening of officers applying for and currently engaged in undercover assignments have any impact on how those officers who succeed the process resist temptations which might lead to acts of corruption? Would more stringent screening in the form of polygraphs and random drug testing be more effective in deterring corruption? Legal issues aside, what sort of internal problems can arise for police managers during implementation of these corruption prevention measures?

**SCOPE OF THE PROBLEM**

**Illustration 1**

<b>YEAR-END STATISTICAL REPORT NARCOTICS GROUP (NG) OPERATIONS</b>			
<b><u>Activity</u></b>	<b><u>Department Total</u></b>	<b><u>NG</u></b>	<b><u>NG % of Total</u></b>
Narcotics Related Arrests	34,547	10,630	31%
Narcotics Search Warrants	1,084	924	85%
Guns Recovered	2,183	929	43%
Money Seized	\$21,016,453	\$19,923,621	95%
Cocaine Seized	20,725 lbs.	20,502 lbs.	99%
Methamphetamine Seized	2,527 lbs.	2,521 lbs.	99%
Marijuana Seized	12,237 lbs.	11,782 lbs.	96%
PCP Seized	187 lbs.	150 lbs.	80%
* 1994 year-end statistics for Los Angeles Police Department			

The year-end statistics presented in Illustration 1 represent the most recent research available and are offered to demonstrate the magnitude and range of temptations confronting today's undercover narcotics officers working within a major city.<sup>17</sup> While undercover narcotics officers in Los Angeles only made approximately one third of the total narcotics-related arrests made in the City, they were responsible for seizing the vast majority of cocaine, methamphetamine and marijuana seized by the Department during 1994. Additionally, these same undercover officers were responsible for seizing 95% of the money confiscated (nearly \$20 million in cash) in connection with narcotics-related cases for the same period. By way of further illustration, undercover LAPD narcotics officers assigned to a joint agency task force at the Los Angeles International Airport, Ontario International Airport, and Burbank Airport, routinely detain drug couriers who transport large sums of cash for narcotics organizations. When detained by officers, these couriers, who may be carrying as much as \$200,000 in cash, disclaim all knowledge of the cash they are carrying and willingly relinquish possession of the currency to officers. The couriers know that they have not violated the law and, absent other circumstances, understand they will not be arrested. After releasing the courier, the officers are required to book the money as a forfeited asset. Undercover narcotics officers working at the Los Angeles Airport seized approximately \$9,000,000 in this fashion during 1994.



If routine sizable cash seizures do not pose sufficient ethical dilemmas for these undercover officers, Illustration 2 reflects current values (wholesale/retail) for many of the drugs seized by these officers.<sup>18</sup>

**Illustration 2**

<b>NARCOTICS GROUP WHOLESALE/STREET VALUE GUIDE</b>			
<b>Drug</b>	<b>Quantity</b>	<b>Wholesale</b>	<b>Street Value</b>
Cocaine	ounce	\$ 500-1,000	\$ 1,800-2,000
Methamphetamine	pound	\$5,000-8,000	\$80,000-100,000
Marijuana	pound	\$ 750-1,500	\$ 4,000-5,000
PCP	pound	\$3,200-6,400	\$32,000-48,000
* Report prepared May 23, 1994			

There is a considerable agreement among contemporary law enforcement managers that most police officers possess high ethical standards and levels of integrity, but that not all officers are suited for the demands associated with working undercover assignments. In fact, considerable pre-screening (medical, psychological and background) occurs before most major city police departments initially hire an officer. However, the available literature and this researcher's experience suggest that, after this initial screening, little is done to screen officers prior to or during an assignment to an undercover or covert position.

### Illustration 3

Employees tested for drugs in a random selection testing program in local police and sheriffs' departments, by size of population served, 1990.						
<b>PERCENT OF AGENCIES WITH A RANDOM SELECTION TESTING PROGRAM FOR:</b>						
Type of agency & population served	Applicants*	Probationary Officers	Regular Field Officers	Candidates for Promotion*	Officers in drug-related positions	Civilian Personnel
All local agencies	2%	4%	4%	3%	5%	3%
Police Departments						
all sizes	2%	4%	4%	3%	5%	3%
1,000,000 or more	0	21	21	7	36	0
500,000-999,999	0	10	10	0	10	3
250,000-499,999	0	19	17	7	22	5
100,000-249,999	0	7	7	1	8	2
50,000-99,999	1	13	11	9	22	4
25,000-49,999	1	6	4	5	5	3
10,000-24,999	1	3	3	2	4	2
2,500-9,999	2	5	6	4	6	4
Under 2,500	2	3	3	2	3	2
Sheriffs' Departments						
all sizes	2%	4%	6%	3%	6%	5%
1,000,000 or more	0	7	7	4	7	7
500,000-999,999	0	0	4	0	4	2
250,000-499,999	1	0	0	0	2	2
100,000-249,999	2	6	10	4	6	7
50,000-99,999	1	2	6	4	7	5
25,000-49,999	2	7	10	6	11	9
10,000-24,999	2	3	4	2	4	3
Under 10,000	1	3	4	3	3	4
* Sworn positions only, in about 9,300 local police departments and 2,500 sheriffs' departments nationwide having primary responsibility for the enforcement of drug laws.						

The above illustration indicates that, as of 1990, there were no police or sheriffs' departments which served populations of one million or more that required drug testing for entry level applicants. Although more recent data was not discovered, this research indicated that twenty-one percent of police departments in this category, and seven percent of sheriffs' departments provided random testing for probationary officers. Only 36 percent of police departments and seven percent of sheriffs' departments serving population of one million or more required random drug testing for officers in drug related positions.

The illustration also suggests that only five percent of all police departments surveyed (approximately 9,300) in 1990 administered random drug tests for officers currently in drug-related enforcement positions. This percentage goes up somewhat when examining departments which serve larger communities, but clearly most police and sheriffs' departments in 1990 did not administer random drug testing to officers in drug-related assignments.<sup>19</sup>

Until approximately one and one-half years ago, the LAPD administered a polygraph examination in conjunction with a questionnaire as prerequisite screening for officers seeking a narcotics undercover assignment. However, challenges raised by the police officers' union and others resulted in an injunction and the discontinuance of the polygraph as a screening tool. Police officers may again be required to take polygraph examinations when they volunteer for work in highly sensitive areas such as vice, narcotics, and organized crime, a California State Appeal Court has ruled. In reversing a court in Los Angeles County, the 2nd District court of Appeal stated recently that the procedure does not violate a state law that protects police officers from being forced to take polygraph tests. "A compelling state interest may exist where individuals are applying for positions of public trust which pose unusual ethical demands and greatly affect public safety or security," wrote Presiding Justice Roger W. Boren. The Los Angeles Police Protective League had asked for an injunction against the Los Angeles Police Department for requiring officers applying for investigative work in drugs, vice, organized crime and urban terrorism to take the polygraph tests as a condition of

employment. In reversing the lower court's order, the appeal court said it was debatable whether officers were "compelled" to take the tests. Officers who applied were all volunteers and were forewarned of the polygraph requirement.<sup>20</sup>

However, research indicates that other screening techniques like random drug testing have met similar resistance. Unless the polygraph is reinstated, LAPD managers are left with a multi-page questionnaire as the only screening device that can be used during the selection process for potential undercover narcotics officers. Some of the information in this questionnaire completed by the applicant can be verified through follow-up investigation. However, important information in the questionnaire is rarely verifiable, and candidates with even marginal intelligence recognize that positive responses to certain prior drug use categories would constitute sufficient grounds for disqualification from the undercover narcotics assignment.

In June 1995, the U.S. Supreme Court upheld the Vernonia, Oregon, school's requirement that all athletes be subjected to random drug testing for marijuana, heroin and cocaine. The school's policy was upheld, even though only 12 students out of 500 tested positive for these drugs during a four and one-half year period. As one might expect, the reaction to the court's decision has been sharply divided along liberal and conservative lines. This decision also reflects a mood change concerning such issues by at least one sitting member of the court. In 1989, Supreme Court Justice Antonin Scalia, writing a dissent to a court opinion, described a challenged drug testing program

for certain U.S. Customs employees as "a kind of immolation of privacy and human dignity in symbolic opposition to drug use."<sup>21</sup> But, even liberal commentators agree that, though this recent decision went too far in eroding students' rights, drug testing can be useful when conducted to protect public safety and security, as with transportation workers and drug enforcement agents.

Employers in both the public and private sector are beginning to address this problem with policies designed to detect substance abuse and rehabilitate abusers.

Management policies must balance the public's right to be provided efficient services, the government's need to maintain national security and the employer's right to be protected from unreasonable violations of basic constitutional protection in the workplace. It should be kept in mind that there is a fundamental difference in the employee-employer relationship in the public and private sectors. Most dealings between private businesses and their employees are not directly influenced by constitutional provisions; however, public sector employees are granted certain privacy rights through the fourth and fourteenth amendments, which afford protection in the areas of search and seizure and due process. Public sector employers, therefore, have greater constitutional restraints imposed in any drug testing policies.<sup>22</sup>

### **Selecting a Strategy and Implementing Change**

A variety of strategies to implement change concerning the screening of undercover officers within the Narcotics Group of the Los Angeles Police Department were considered.<sup>23</sup> For a variety of reasons, the following strategy was selected:

**The Police Department, after engaging in reasonable meet and confer negotiations, will develop and implement a pilot screening process for those officers working or desiring to work Narcotics Group.**

After conducting research concerning all available screening processes, including their legality within the State of California, the Chief of Police would seek the Police Commission's approval to conduct a two-year pilot screening program for all officers working or desiring to work Narcotics Group. Since this strategy involves only officers who are already members of the Police Department, its implementation would not require the approval of the Personnel Department. This strategy was selected for the following reasons:

- \* A pilot program would present less of a threat to stakeholders, particularly those having concerns regarding the need for screening.
- \* The bureaucracy associated with decision making connected with this strategy would be minimized.

- \* The cost associated with this strategy would be minimal when compared to other strategies.
- \* Modifications could more easily be made to the screening process during the course of the pilot program.
- \* A high level commitment to the need for screening would not have to be made until the pilot program was concluded.
- \* The Police Commission would be more amenable to approving the project if it were conducted on an experimental basis for a finite period.
- \* Line narcotics officers would more readily support a pilot project, knowing that their concerns regarding the program would be included in the quarterly evaluations.
- \* The Police Protective League (police officers' union) would be more willing to agree to a pilot program regarding screening processes than a permanent one.
- \* Developers of screening technology would also be afforded a better opportunity to refine their screening mechanisms during the experimental process.
- \* The City Attorney's Office (lawyer for the City of Los Angeles) would be more supportive of a test. As legal issues arose, they could be more easily addressed during the experimental state of testing.
- \* The concerns of minority officers associations might be lessened with implementation of a pilot project.

## **Implementation Obstacles**

Some Department command and staff officers may resist the screening pilot project due to prior experience with challenges to the polygraph examination for narcotics officers, and the problems experienced with the Department's now discontinued random drug testing program. Even though the City of Los Angeles successfully defended the use of the polygraph examination, it was discontinued during the appeal process and to this date has not been reinstituted. Additionally, even though random drug testing was implemented for all officers on the Department several years ago, it too was discontinued because of administrative difficulties associated with disciplining officers whose test results were positive, and because some managers felt there were too few positive results to justify the cost of the program. Rather than implementing more screening processes, there could be broad-based support within the command and staff ranks to limit the tenure of narcotics assignments. This decision would be unpopular with line narcotics officers, but could represent the path of least resistance for decision makers. To overcome this obstacle, the project manager will need to clearly demonstrate to key stakeholders that implementing limited tours in Narcotics Group (two to five years) would cause significant morale, operational and labor problems within this key Department entity. Additionally, the fact that increased screening would be met with less resistance by the majority of involved employees than the imposition of limited tours, should help to overcome this obstacle.



Another obstacle to implementing this project may involve establishing meaningful criteria to measure the program's effectiveness. Some may question the need for the pilot program if there are currently no corruption-related problems within the organization. Additionally, this program does not provide an absolute guarantee concerning corruption. This obstacle can be overcome by continuing to emphasize that many law enforcement agencies (large and small) throughout the country continue to experience major problems with corruption. Screening should be considered the equivalent to "preventative maintenance" for a vehicle. It may not eliminate the possibility of a corruption-related problem from occurring, but it can greatly minimize the likelihood of a significant breakdown within the organization.

Finally, if it is perceived that minorities and females are being systematically deselected during screening processes, it is unlikely that the pilot program would be permanently implemented. The literature review conducted in conjunction with this study did not reveal any research associated with screening failure rates by race or sex. To overcome this obstacle it will be necessary for Narcotics Group supervisors and managers to actively recruit qualified minorities and females for narcotics assignments. Additionally, efforts to promote qualified minorities and women within Narcotics Group must be maintained. This sub-issue will be closely tracked during the project's test period and this information will be provided to interested stakeholders.<sup>24</sup>

## **Conclusion**

The independent study project that was used as a basis for this article attempted to answer the question, "What will be the status of screening officers for undercover narcotics assignments in large law enforcement agencies by the year 2005?" The research indicated that few agencies regularly engage in meaningful screening for officers who volunteer, or currently work undercover narcotics assignments. The research also indicated that the enormous temptations confronting narcotics officers have not abated. In fact, during the next ten years these temptations may increase significantly. It is also evident that the future candidate pool for narcotics assignments may have a more intimate relationship with illegal drugs. There is no indication that the need for aggressive drug enforcement will diminish and the need for experienced and honest narcotics officers will likely increase. Since it is believed that nearly anyone can be corrupted, the need for reliable screening processes will also increase. The consequences of corruption can be significant for an agency. Loss of the public's trust, and a tarnished reputation can influence future budgets as well as recruitment issues. Implementation of screening methods is not an easy task. There are many barriers and roadblocks that, if not handled properly, could seriously jeopardize a screening program. Many of the obstacles to screening have been identified in this article for the reader. In dealing with corruption prevention measures for narcotics officers, implementation of screening methods is "the road least traveled" by the majority of law enforcement agencies. However, the courts have demonstrated that utilization of

screening methods in the public safety sector is becoming more permissible than in the past. It has been this author's experience that most narcotics officers will support increased screening as long as the methods employed are fair and reliable.

Finally, for managers who have a serious stake in the future of law enforcement, consideration must be given to the following recommendations for future action:

- \* Law enforcement managers should develop a professional network with other local, state and federal agencies to better address, perhaps even standardize screening processes throughout a region.
- \* Law enforcement must continue to develop a partnership with the private sector (like Aerospace Corporation located in El Segundo, California) to improve screening processes.
- \* Screening officers for undercover assignments should not be left to chance. Greater emphasis must be placed on using effective screening processes and professionally trained interviewers.
- \* There must be a better relationship between management and unions to properly develop and implement screening processes. The goal should be common to each entity; i.e., that of a corruption-free department.
- \* Public and political support must be generated for anti-corruption measures.
- \* There must be a zero-tolerance for corruption throughout City government.

- \* Departments must employ as many screening processes as legally permissible, particularly for entry level employees and those officers volunteering for undercover assignments.
- \* Managers must never develop an attitude that corruption could never occur within their organization.
- \* The simple absence of identified corruption within an agency cannot be the sole measurement of success for a screening program. There are law enforcement agencies which have limited or no screening which appear to be corruption-free. A variety of other factors, like the organizational culture, level of morale, job satisfaction and level of diversity within the undercover unit must also be considered.
- \* Managers must also realize that their organization may have an outstanding screening process and anti-corruption program in place and still experience corruption by undercover officers. However, experts agree that the possibility of corruption can be minimized through a thorough screening program.
- \* Anyone, and therefore any police agency is susceptible to corruption, given the right motivation or set of circumstances. To think that only marginally performing employees with poor work histories represent the only corruption concern for managers is clearly "the road most traveled," but could be a serious oversight.

## ENDNOTES

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